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OFFICE OF PETITIONS

In re Application of
Daniel C. Cyphers et al
Application No. 10/669,082
Filed: September 23, 2003
Attorney Docket No. SKY 0001
PA/41130.3

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:DECISION ON PETITION UNDER
: 37 CFR 1.313(c)(1)
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This is a decision on the petition, filed June 22, 2005, under 37 CFR 1.313(c)(1), and supplemented on June 28, 2005, to withdraw the above-identified application from issue after payment of the issue fee.

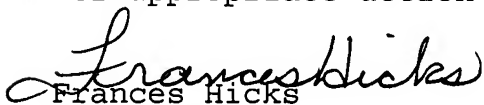
The petition is **GRANTED**.

Petitioner states that independent claim 30 included a claim recitation that lacks proper antecedent basis which renders the claim unpatentable under 35 U.S.C. § 112, ¶2, as being indefinite. Therefore, petitioner requests that this application be withdrawn from issue for consideration of the proposed amendment, which includes an explanation as to how such amendment renders claim 30 patentable.

The above-identified application is withdrawn from issue due to unpatentability of one or more claims. See 37 CFR 1.313(c)(1).

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

The application is being forwarded to Technology Center AU 3752 for appropriate action on the amendment submitted June 22, 2005.


Frances Hicks

Petitions Examiner
Office of Petitions